TANK NOTES

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the Petroleum Storage Tank Bureau

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First major deadline for AST upgrades is August 15

August 15, 2004 is the deadline for spill and overfill prevention, leak detection and corrosion prevention plans for ASTs

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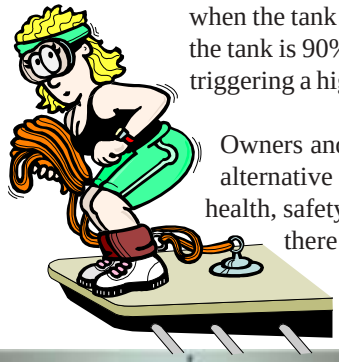
LAST AUGUST, owners and operators of above ground storage tanks (AST) were given a year to comply with certain requirements of the storage tank regulations. August 2004 may have seemed far away at the time but it is rapidly approaching now. August 15, 2004 is the deadline for existing AST systems to have spill and overfill prevention equipment and release detection, and for owners and operators to submit corrosion prevention plans.



Spill and overfill prevention equipment

AST owners and operators must at all times ensure that releases due to spilling or overfilling do not occur. This fundamental rule, set forth in 20.5.5.500 NMAC, is in effect now. By August 15, 2004, spill and overfill prevention equipment must also meet the requirements listed in 20.5.4.402 NMAC:

- Owners and operators must use spill prevention equipment that will prevent releases of regulated substances to the environment whenever the transfer hose is detached from the fill pipe. A spill catchment basin is an example.
- Overfill prevention equipment must automatically shut off flow into the tank when the tank is 95% full, or alert the transfer operator when the tank is 90% full by restricting flow into the tank or triggering a high-level audible and visual alarm.

Owners and operators may request approval to use alternative equipment that is no less protective of public health, safety and welfare and the environment. In addition, there are two times when spill and overfill equipment is not necessary, if approved in advance in writing. The first is where the storage tank system is filled by transfers of no more than 25 gallons and the second is where the fill port is located within a secondary containment system meeting certain requirements.

Marinas must all have AST systems that allow the level of regulated substances in the AST to be monitored during a delivery of fuel to the AST, in addition to a spill catchment basin. The details are spelled out in subsection A(5) of 20.5.4.402 NMAC.

Release detection

By August 15, owners and operators of existing AST systems must be using a method of release detection specified in 20.5.6 NMAC. If the AST system was installed before July 1991 or is of unknown age, you will also need to perform either an internal inspection or a tightness test of the entire tank and a line tightness test for any part of the system

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that is not accessible to visual inspection or that is in contact with ground or soil. These tests must be performed by licensed/certified vendors and approved by the Petroleum Storage Tank Bureau (PSTB) in writing before the tests are done. Properly documented monthly visual inspection is an acceptable release detection method for the portions of your storage tank system that are accessible, visible and not in contact with the ground.

These testing methods, especially an internal inspection or tank test, may be costly, and the PST Bureau recommends that you plan ahead. Start contacting vendors that perform these tests now so that you can compare products and prices and avoid last minute delays. Contact the inspector for your area (see box on p. 2) if you have questions about the appropriate method of release detection for your storage tank system or if you want names of vendors that can perform the required testing.

Corrosion prevention plans

AST owners and operators are required to protect from corrosion any steel portion of a tank or piping that routinely contains regulated substances and is routinely in contact with the ground or water. To this end, owners and operators of existing AST systems must submit corrosion prevention plans to the Bureau by August 15, 2004 to protect the metal portions of the system that are in contact with the ground or water. Plans must be approved in writing by a professional certified by the National Association of Corrosion Engineers (NACE) or a registered professional engineer whose license includes education and experience in corrosion control, and implemented by July 1, 2006.

If no part of your system, including the piping, is or will be in contact with the ground (which includes gravel, steel flooring and concrete surfaces) or water, you may submit a statement to this effect to the Bureau for approval. Again, contact your local inspector if you have any questions.

Storage Tank Committee in place

The Governor has made his final appointments to the Storage Tank Committee. The members of the committee hail from around the state. They are Jim Norton, NMED Chair from Santa Fe, Ruben Baca from Albuquerque, Joseph Chavarria of Santa Clara Pueblo, Jimmy Esparza from Espanola, Ronnie Pynes of Grants, Wilfred Rael of Questa, and Gary Shubert from Hobbs.

The Storage Tank Committee is appointed by the Governor to review corrective action plans and financial reports on the Corrective Action Fund and make recommendations to the Environment Department Secretary. The committee meets every other month, usually in Santa Fe or Albuquerque. Questions about the committee or its meeting schedule may be directed to Geraldine Madrid-Chavez at 505-827-2425, or go to www.nmenv.state.nm.us and click on Law Center.

Read the regulations and then call us

We are happy to answer questions but please review the regulations before calling. The regulations are available on the Environment Department web site at http://www.nmenv.state.nm.us/ust/. You can download the regulations, or obtain a hard copy from your inspector at the number listed on page 2 or the PSTB office in Santa Fe at (505) 984-1741.

Corrosion prevention plans required for USTs

UST owners and operators do not completely escape the August 15, 2004 deadline

One major new operational requirement for UST owners and operators is the requirement of a corrosion prevention plan. Owners and operators of existing USTs constructed of steel must submit corrosion prevention plans for these USTs to the Bureau by August 15, 2004, even if they have corrosion protection. The requirements are spelled out in 20.5.4.400 NMAC, with corrosion prevention plans defined in 20.5.1.7 NMAC.